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PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. RADE 09/974,749 **Application Number** TRANSMITTAL 10/09/2001 Filing Date RECEIVED **FORM** Chun-Su Yuan First Named Inventor JAN 0 2 2003 (to be used for all correspondence after initial filing) Group Art Unit 1651 K. Srivastava TECH CENTER 1600/2900 **Examiner Name** ARCD:347US Total Number of Pages in This Submission Attorney Docket Number **ENCLOSURES** (check all that apply) **Assignment Papers** After Allowance Communication Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please Extension of Time Request Address identify below): Terminal Disclaimer Return Postcard Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) . Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Amendment & Response to Restriction Requirement dated November 22, 2002, Incomplete Application submitted herewith. Response to Missing Parts No fees are believed due; however, the Commissioner is authorized to charge Deposit under 37 CFR 1.52 or 1.53 Account No. 50-1212/ARCD:347US if it is determined that any fees are due. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Mark B. Wilson; Reg. No. 37,259 Customer No. Individual name Signature 12/19/2002 Date

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 12/19/2002 Mark B. Wilson Typed or printed name Signature 12/19/2002 Date

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chun-Su Yuan

Serial No.: 09/974,749

Filed: October 9, 2001

For: GINSENG BERRY EXTRACTS AND PHARMACEUTICAL COMPOSITIONS FROM GINSENG BERRY FOR THE TREATMENT OF TYPE 2 DIABETES

AND OBESITY

Group Art Unit: 1651

Examiner: K. Srivastava

Atty. Dkt. No.: ARCD:347US

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December 19, 200

Date

I. AMENDMENT AND II. RESPONSE TO RESTRICTION REQUIREMENT **DATED NOVEMBER 22, 2002**

Commissioner for Patents Washington, D.C. 20231

Sir:

This paper is submitted in response to the Restriction Requirement dated November 22, 2002, for which the date for response is December 22, 2002.

It is believed that no fees under 37 C.F.R. §§ 1.16 to 1.21 are occasioned by the filing of this paper, however, should the Commissioner determine otherwise, the Commissioner is hereby